

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ALESSI EQUIPMENT, INC.,

Plaintiff,

-against-

AMERICAN PILEDRIVING EQUIPMENT,  
INC.,

**ORDER**

Defendant.

18 Civ. 3976 (JCM)

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AMERICAN PILEDRIVING EQUIPMENT, INC.,

Counterclaim-Plaintiff,

-against-

ALESSI EQUIPMENT, INC.,

Counterclaim-Defendant.

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The Court is in receipt of the parties' submissions regarding prejudgment interest and Defendant American Piledriving Equipment, Inc.'s ("APE") intention to move for a new trial pursuant to Federal Rule of Civil Procedure ("Rule") 59(a). (Docket Nos. 176; 177). If the parties cannot agree on the appropriate triggering date for prejudgment interest, Plaintiff Alessi Equipment, Inc. ("Alessi") must move pursuant to Rule 59(e) to amend the judgment to add prejudgment interest starting from Alessi's preferred triggering date. *See generally Foresco Co. v. Oh*, 337 F. Supp. 3d 304, 306 (S.D.N.Y. 2018); *see also Stanford Square, L.L.C. v. Nomura Asset Cap. Corp.*, 232 F. Supp. 2d 289, 291 (S.D.N.Y. 2002). If APE moves for a new trial, the Court will address that request along with Alessi's motion.

Dated: June 23, 2022  
White Plains, New York

**SO ORDERED:**

  
JUDITH C. McCARTHY  
United States Magistrate Judge